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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,011	03/27/2001	James Cardwell	0086.0080	2215

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EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/818,011

Applicant(s)

CARDWELL ET AL.

Examiner

Thuy Pardo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 April 2004 and 07 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 24-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2-5, 7, 12, 13, 24-27 and 29 is/are rejected.
- 7) ☒ Claim(s) 6, 8-11, 28 and 30-33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. Applicant's RCE file on June 07, 2004 and Amendment filed on April 08, 2004 in response to Examiner's Office Action has been reviewed. Claims 14-23 have been canceled, and claims 1-3, 5-8, 12, 24-26, and 28 have been amended.
2. Claims 1-13 and 24-30 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 2-4, 7, 12, 13, 24-26, and 29 rejected under 35 U.S.C. 102(e) as being anticipated by **Lautzenheiser et al.** (Hereinafter "Lautzenheiser") US Patent No. 6,023,572.

As to claim 2, Lautzenheiser teaches the invention substantially as claimed, comprising the steps of

creating a first informational database, the first informational database containing at least one business objective of the business entity 662 of fig. 14-16];

creating a second informational database, the second informational database containing at least one project based on the at least one business objective [658 of fig. 14-16]; and

allowing open access to and between the first and second informational databases [fig. 14] via a computer network [fig. 10; col. 10, lines 49 to col. 11, lines 20].

connecting the second information database to the first information database via computer network [see fig. 10; col. 10, lines 49 to col. 11, lines 20], such that when the at least one objective is altered, the at least one project is automatically updated to reflect the alteration to the at least one objective [col. 12, lines 57-65].

As to claim 3, Lautzenheiser teaches the invention substantially as claimed. Lautzenheiser further teaches that the method further comprises the step of editing at least one of the informational databases [update, fig. 14-15] via computer network [fig. 10].

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As to claim 4, Lautzenheiser teaches the invention substantially as claimed.

Lautzenheiser further teaches creating a second informational database; and creating at least one project based on the at least one objective [674 of fig. 14] via computer network [fig. 10].

As to claim 7, Lautzenheiser teaches the invention substantially as claimed.

Lautzenheiser further teaches allowing limited access to the first and second informational databases [col. 6, lines 28-52].

As to claim 12, Lautzenheiser teaches the invention substantially as claimed.

Lautzenheiser further teaches accessing at least one of the informational databases via a computer network [see fig. 14].

As to claim 13, Lautzenheiser teaches the invention substantially as claimed.

Lautzenheiser further teaches accessing at least one of the informational databases from a remote location [fig. 14].

As to claims 24-26 and 29, all limitations of these claims have been addressed in the analysis of claims 2-4, 7, 12, and 13 above, and these claims are rejected on that basis.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 27 are rejected under 35 U.S.C. § 103 as being unpatentable over **Lautzenheiser et al.** (Hereinafter "Lautzenheiser") US Patent No. 6,023,572, in view of **Stuart** US Patent No. 6,466,935.

As to claim 5, However, Lautzenheiser teaches the invention substantially as claimed. However, Lautzenheiser does not explicitly teach assigning a priority value to the at least one project via computer network. Stuart teaches determining organizational priorities and assigning a priority value to the at least one objective 612 of fig. 6]; and assigning a priority value to the at least one project [Priority #1 for Job ID 1731, fig. 6].

Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to have modified Lautzenheiser's system wherein the method for interconnecting multiple layers of an organization provided thereof would have incorporated the teachings of Stuart; the motivation being to expand and enhance the versatility of Lautzenheiser's system by optimizing the throughput on the equipment, minimizing errors, and reducing the cost per work [see Stuart, col. 1, lines 58-63].

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As to claim 27, all limitations of this claim have been addressed in the analysis of claim 5 above, and this claim is rejected on that basis.

*Allowable Subject Matter*

5. Claims 6-11 and 28-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claim 1 is allowable over the prior art of record.

The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record fails to teach or suggest individually or in combination connecting the at least one task to the at least one team project, such that when the at least one team project is altered, the at least one task is automatically updated to reflect the alteration to the at least one team project; assigning priority levels to the at least one objective, the at least one team project, and at least one task; allowing an associated employee, with access to the database table to access and edit via the intranet the at least one team project, and comparing the at least one objective, the at least one team project, and the at least one task as specified in claim 1.

As to claims 6 and 28, the limitations that the computer network is a global network, and the method further comprises the steps of creating a third information

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database, creating at least one task based on the at least one project; allowing open access to and between the first, second, and third informational databases, via the global computer network; and, connecting the at least one task to the at least one project, via the global computer network, such that when the at least one project is altered, the at least one task is automatically updated, via the global computer network, to reflect the alteration to the at least one project, taken together with other limitations of claims 2-5 or 24-27 were not disclosed by the prior art of record.

Claims 8-11 and 30-33 being further limiting to claims 6 and 28 are also objected to.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).



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Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**8. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

July 20, 2004



**THUY N. PARDO  
PRIMARY EXAMINER**